

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brian P. Brockway, et al.      Art Unit : 3766  
Serial No. : 10/756,188      Examiner : Kennedy Schaetzle  
Filed : January 12, 2004      Conf. No. : 2296  
Title : THERAPEUTIC DEVICE AND METHODS USING FEEDBACK FROM  
IMPLANTABLE SENSOR DEVICE

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

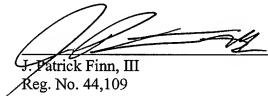
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated April 19, 2007, finally rejecting claims 1, 8 and 14-29.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including October 19, 2007 is enclosed.

Please charge Deposit Account No. 06-1050 in the amount of \$255 for the appeal fee.  
Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 19, 2007

  
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**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: October 19, 2007